

IN THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA ex rel.)	
MILTON JONES,)	
)	No. 08 C 2057
Petitioner,)	
)	
vs.)	The Honorable
)	Elaine E. Bucklo,
TERRY McCANN, Warden)	Judge Presiding.
)	
Respondent.)	

**MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE
PLEAD TO THE PETITION FOR WRIT OF HABEAS CORPUS**

NOW COMES RESPONDENT, Terry McCann, by and through his counsel, LISA MADIGAN, Attorney General of Illinois, and moves this Court for a Forty-five (45) day extension of time from May 13, 2008 to June 27, 2008, in which to file a responsive pleading in this cause.

An affidavit in support of this motion is attached.

Respectfully submitted,

LISA MADIGAN
Attorney General of Illinois

BY: s/ Jay Paul Hoffmann
JAY PAUL HOFFMANN
Assistant Attorney General
100 W. Randolph Street, 12th Floor
Chicago, Illinois 60601
(312) 814-3421
FAX: (312) 814-2253
E-mail: jhoffmann@atg.state.il.us
Att.Reg.No.: 6204296

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

AFFIDAVIT

I, Jay Paul Hoffmann, being first duly sworn upon oath, depose and state:

1. I am the Assistant Attorney General assigned to this case.
2. Respondent's responsive pleading is currently due on May 13, 2008.

This is respondent's first request for an extension of time in this action.

3. In addition to his duties as supervising attorney regarding appeals in cases brought under the Illinois Sexually Violent Persons Commitment Act, affiant is also currently responsible for the preparation of pleadings, oral argument and/or other proceedings in other cases including in the United States District Court for the Northern District of Illinois, respondent's answer to the petition for habeas corpus in *Andrew Suh v. Eddie Jones*, No. 03 C 7014, in the Illinois Appellate Court, Second District, the People's brief as appellant in *People v. Hardin*, No. 2-08-0082, in the Illinois Appellate Court, Third District, preparation and oral argument on appeal from the denial of the state post-conviction petition in the double murder conviction in *People v. Woolley*, No. 3-07-0931, and in the Circuit Court of Cook County, Illinois, preparation and argument on defendant's motion in arrest of judgment in *Smith v. Thomas*, No. 06 CR 80007.

4. In addition, affiant is attempting to obtain the state-court documents necessary to prepare a response to the petition, but is unsure when he will obtain those documents.

5. This request is made in good faith and not for the purpose of delay.

WHEREFORE, for the foregoing reasons, respondent requests that this Court grant him an extension of time up to and including June 27, 2008, in which to answer or otherwise plead in the instant case.

FURTHER AFFIANT SAYETH NOT.

May 8, 2008

s/ Jay Paul Hoffmann
JAY PAUL HOFFMANN
Assistance Attorney General
100 W. Randolph Street, 12th Floor
Chicago, Illinois 60601
(312) 814-3421
FAX: (312) 814-2253
E-mail: jhoffmann@atg.state.il.us
Att.Reg.No.: 6204296

IN THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA ex rel.)	
MILTON JONES,)	
)	No. 08 C 2057
Petitioner,)	
)	
vs.)	The Honorable
)	Elaine E. Bucklo,
TERRY McCANN, Warden)	Judge Presiding.
)	
Respondent.)	

CERTIFICATE OF ELECTRONIC FILING AND SERVICE

I certify that on May 8, 2008, I electronically filed respondent's MOTION FOR EXTENSION OF TIME with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following. I further certify that on May 8, 2008, I mailed by United States Postal Service, the above referenced motion to the following non-registered participant:

Milton Jones, #R-29598
Route 53
P.O. Box 112
Joliet, Illinois 60434

Respectfully submitted,

s/ Jay Paul Hoffmann
JAY PAUL HOFFMANN
100 West Randolph Street, 12th Floor
Chicago, Illinois 60601
Phone: (312) 814-3421
FAX: (312) 814-2253
E-mail: jhoffmann@atg.state.il.us
Att.Reg.No.: 6204296